REMARKS

Applicants respectfully request reconsideration of the present application in view of the following remarks. Claims 1-15 are pending in the application, of which claims 1 and 8 are independent. In the Final Office Action dated September 20, 2006, claims 1-3, 5, 6, 8-10, 12, and 13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,157,719 ("*Wasilewski*") in view of U.S. Patent No. 5,933,501 ("*Leppek*"). Claims 7 and 14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Wasilewski* in view of *Leppek* and in further view of U.S. Patent No. 6,055,314 ("*Spies*"). Claims 4 and 11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Wasilewski* in view of *Leppek* and in further view of *Spies* and U.S. Patent No. 5,623,637 ("*Jones*").

A telephonic interview was conducted between the Examiner and the undersigned on October 26, 2006. Applicants and the undersigned would like to sincerely thank the Examiner for the guidance provided during the interview. Applicants submit that the above amendments are in accordance with the suggestions provided by the Examiner, while the remarks below reflect the understandings reached between the undersigned and the Examiner with regard to the pending application and the cited references.

The independent claims pending before the Final Office Action contained recitations to "a respective enabling algorithm . . . to be selectively loaded" into the user unit. In the interview, the Examiner asserted that this claim language reads on the selective creation of an algorithm that is then loaded into a user unit. The Examiner

explained that in the Final Office Action, *Leppek* was used as the sole reference in the various combinations under 35 U.S.C. § 103(a) to show this claimed recitation, as it refers to "an encryption schedule produced by combining selected ones of plurality of different encryption operators stored in an encryption operator database into a compound sequence of encryption operators." The Examiner suggested that amending the Applicants' claims so they clearly specify that it is not the algorithm itself, but the loading of the algorithm that is made selective among users, would appear to distinguish the claimed subject matter from *Leppek* and the other cited references.

In response to the Examiner's suggestion, Applicants have amended independent claims 1 and 8 to clearly specify selectively loading the enabling algorithm into the user unit of selective users. More specifically, amended claim 1 now recites, inter alia, "incorporating into said digital data streams respective identifying codes of selective users to be enabled to receive said determined services, selectively loading said enabling algorithm into the user unit of each of the selective users based on the respective identification codes, associating to said user unit a processing function capable of recognizing and executing said enabling algorithm based on said identifying codes to enable the receivers of the selective users to make use of said respective determined services of said plurality of providers." With the incorporation of the amendments, claim 1 unambiguously requires the selective loading of the enabling algorithm into the user unit of the selective users based on their respective identification codes, which is not shown or suggested by any of the cited references.

Accordingly, at least because none of the cited references show or suggest each and every feature of amended claim 1, amended claim 1 is allowable under 35 U.S.C.

§ 103(a). Claim 8 has been similarly amended and is, therefore, also allowable under 35 U.S.C. § 103(a) for at least the reasons set forth above. Dependent claims 2-7 and 9-15 each dependent from one of claims 1 and 8 and are, therefore, additionally allowable at least because of their dependence on an allowable base claim.

Furthermore, Applicants respectfully point out that the Final Action by the Examiner presented some new arguments as to the application of the art against Applicants' invention. It is respectfully submitted that the entering of the amendment would allow the Applicant to reply to the final rejections and place the application in condition for allowance.

Finally, Applicants submit that the entry of the amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

In view of the foregoing remarks, Applicants submit that this claimed invention, as amended, is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicants therefore request the entry of this amendment, the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account 06-0916.

Respectfully submitted,

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Dated: February 9, 2007

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